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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined fifth and sixth periodic reports of Slovenia

Addendum

Replies of Slovenia**

[Date received: 27 July 2015]

Constitutional, legislative and institutional framework and access to justice

Question 1
Implementation and monitoring of legislation

1. The Implementation of the Principle of Equal Treatment Act which is a generic law (lex generalis) on the prohibition of discrimination on the grounds of any personal circumstances and the Equal Opportunities for Women and Men Act which is a general law in the field of gender equality have been significantly contributing to the progress in integration of the principle of non-discrimination in sectoral legislation. The prohibition of discrimination is included in sectoral laws such as the Labour Relations Act, the Religious Freedom Act, the Equal Opportunities for Persons with Disabilities Act and the Insurance Act. The awareness of the prohibition of discrimination has also increased whereby the former Office for Equal Opportunities or the present Sector for Equal Opportunities within the Ministry of Labour, Family, Social Affairs and Equal Opportunities played an important role as through various activities (consultations, round tables, conferences, public debates, etc.) it drew attention to the prohibition of discrimination on the grounds of sex and the unequal position of women in various fields.

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2. The recently established Expert Council for Gender Equality will contribute to further development and promotion of the gender equality policy as well as to its implementation and monitoring. It was established by a resolution on 25th November 2014 within the Ministry of Labour, Family, Social Affairs and Equal Opportunities and is an expert and advisory body of the Minister on matters of equality of women and men and the implementation of the principle of non-discrimination on the grounds of sex. It has fifteen members; beside the Minister, State Secretary and Head of the Sector for Equal Opportunities, it is composed of experts working in the field of gender equality and human rights within academic institutions and non-governmental organisations. One of its tasks is to monitor the implementation of the provisions of the Equal Opportunities for Women and Men Act and the measures of the Resolution on the National Programme for Equal Opportunities for Women and Men.

3. In March 2015, the Minister responsible for gender equality conducted a training session for her fellow ministers to promote gender equality and the implementation of the Law on Equal Opportunities for Women and Men. The important role of the state, all ministries and government departments in the development of measures in the field of gender equality and their joint alliance to achieve the objectives was highlighted. Ministers were reminded of the implementation of the Equal Opportunities for Women and Men Act which binds each ministry in its field to develop measures that will eliminate gender inequalities and promote gender equality. Examples of good practices were presented.

4. In March 2015, the National Assembly held a joint meeting of the Commission for Petitions, Human Rights and Equal Opportunities and the Committee for Labour, Family, Social Affairs and Persons with Disabilities which was intended to present the situation of women and men in Slovenia and to consider the progress or which are the key areas of the future where we lag behind in the development or must accelerate efforts to further it. At the meeting, it was decided that the Ministry of Labour, Family, Social Affairs and Equal Opportunities shall prepare the legal basis for the introduction of the gender quotas in management and supervisory boards of business companies.

5. With regard to the request for information on court proceedings, which were triggered by women in accordance with the Equal Opportunities for Women and Men Act (2002) and the Implementation of the Principle of Equal Treatment Act (2004) the Ministry of Labour, Family, Social Affairs and Equal Opportunities, Sector for Equal Opportunities, addressed a request for the transmission of such information to the courts (higher, district, county, labour and social and administrative). Most courts have replied. From the responses, it is clear that courts do not keep special records of decisions where proceedings had been instituted on the basis of the Equal Opportunities for Women and Men Act and the Implementation of the Principle of Equal Treatment Act. Courts which had reviewed the decisions of the last years have reported that in deciding on matters these laws had not been used as a legal basis. The overview of individual decisions of the courts which are published on the Judiciary of the Republic of Slovenia website — the case law, however, shows that in recent years there were some judgements in the field of labour law which were related to the discrimination based on sex. For example, in case no. 1151/2009, the Higher Labour and Social Court decided that the standard termination of an employment contract for business reasons for a female worker is not legitimate because the employer has selected the worker on the

basis of discriminatory treatment. The female worker and her male colleague whose employment contract has not been terminated had performed the same work. The reason that the employer stated as the assessment criterion was that a man more easily operates the machine where the female worker and her male colleague had worked. The employer has treated the female worker whose employment contract was terminated for business reasons and her male colleague differently based on sex.

Draft law on equality of women and men

6. The main reason for drafting a new Law was the closure of the Office for Equal Opportunities and the transfer of its functions and employees to the Ministry of Labour, Family and Social Affairs in 2012. In accordance with this organisational change, it was necessary to redefine the body responsible for gender equality in the law.

7. The draft law mostly included the provisions of the current Equal Opportunities for Women and Men Act and the Implementation of the Principle of Equal Treatment Act and introduced the provisions which are the result of the development and progress in the field of gender equality law and policy.

8. After the adoption by the Government on 26th October 2013, the draft law on equality of women and men was forwarded to the National Assembly where the Committee for Labour, Family, Social Affairs and Persons with Disabilities considered it at its 20th meeting held on 12th March 2013. Due to the comments of the Legislative and Legal Service of the National Assembly that the provisions are mainly very general, vague, with open meaning and more programmatic and that they do not contain normative precisions, the Committee postponed a decision on a draft law to a subsequent sitting. Further consideration of the draft law did not occur because early parliamentary elections took place in July 2014 and all legislative procedures were ended by the termination of the mandate period of the National Assembly. The new Government of the Republic of Slovenia did not place the preparation of the new law on equality of women and men in its work programme for 2015.

Question 2
National Programme for Equal Opportunities for Women and Men

9. The progress in achieving specific objectives of the National Programme for Equal Opportunities for Women and Men 2004-2013, the evaluation of results and impacts of individual measures and the establishment of platforms for the preparation of expert basis for the further development of the field of gender equality are precisely displayed in the evaluation of the implementation of the National Programme for Equal Opportunities for Women and Men 2005-2013 which was conducted by a group of independent female experts. The evaluation has shown that most objectives in the specific areas were clearly and comprehensively set; the assessment of the results achieved and realisation of the objectives in individual areas has shown some progress. In the implementation period of the first national programme some significant shifts have been made: visibility and sensitivity toward gender equality issues in society have increased, a lot of research work has been done, there have been legislative changes and the introduction of new practices in some areas, steps have been taken towards more substantive gender equality. The

evaluation has shown that until the end of the implementation period of the national programme a trend of increase in monitoring certain data on gender equality was observed in most areas and that the measures and activities in the observed period represented a good first step that should be followed by further more specific actions and activities focused on measurable objectives. The overview of individual areas has shown: .

- The labour market data show changes in the direction of "increasing" gender equality over the last eight years (in terms of employment rates, youth unemployment, self-employment, average differences in salaries), however, the differences between the sexes are still significant; the reasons for reducing the differences are also associated with a worsening of the situation of men in the labour market.
- In the field of education and science, the educational level has risen for both sexes but the differences between women and men with regard to the type and level of education are not diminishing; both have an important influence on segregation in the labour market.
- The objectives in the field of culture, media and advertisements have been properly set and have addressed key challenges for achieving equal opportunities for both sexes in this area. This area was characterised by the absence of research, analysis, data and basis for assessing the situation of women and men. Mechanisms for monitoring and promoting equal opportunities for women and men in the field of culture were established in eight years but in the future they should be upgraded, made concrete and quantified.
- Based on an analysis of existing indicators in the field of social welfare in recent times, there was an "increase" in gender equality; where more equality is perceived this is mainly attributable to changes due to the deterioration of the situation of men. Women still have a higher risk of poverty, especially elderly women and single mothers.
- In the field of family life and partnership, there have been a number of activities aimed at promoting active fatherhood (research, education, training, etc.). According to the available indicators, there are more active fathers now than eight years ago which is also the result of targeted campaigns promoting fatherhood. However, the unsuccessful attempt of additional legal incentives for more equal assumption of parental duties showed that changes require more time and further active work. Recently, a setback was also seen in this field because of the reduction of parental benefits.
- Positive shifts based on clearly defined objectives and as a result of number of measures and activities were achieved in combating violence against women. An overall, accurate and comprehensive addressing of violence against women and related issues contributed to the statutory regulation of the field, relevant monitoring system, development of effective prevention, sanctioning of acts of violence and dealing with its consequences. The partnership with non-governmental organisations contributed to achieving the objectives in this area and can serve as an example of good practice.
- The resolution appropriately highlights the issue of division of power between the sexes in society. The strategic objectives are divided into three areas of

decision-making processes: politics, public administration and justice, and the socioeconomic area. Particularly in the political field the objectives were made concrete and progress achieved — the adoption of a legal basis for a more balanced representation of women and men in politics.

- The new Resolution on the National Programme for Equal Opportunities for Women and Men will cover the period 2015 — 2020 and the government is expected to adopt it in the following months. The new national programme highlights eight priority areas: equal economic independence, reconciliation of work and private and family life, knowledge-based society without sex and gender stereotypes, social inclusion, health, balanced representation of women and men, violence against women and gender equality in foreign policy and international development cooperation. In all these areas, the basic activities and statistical trends in the period of the preceding national programme are presented and the objectives and measures which constitute key challenges for the future are defined. In the preparation of the new national programme, the key conceptual and substantive comments or guidelines provided in the evaluation of the national programme 2005-2013 are considered as far as possible. Various actors were involved in preparation: individual ministries and government departments that deal with areas addressed by the national programme; non-governmental organisations which cover either individual gender equality relevant issues or comprehensively address gender equality; unions and experts in the field of gender equality etc.

Reference to the convention in the proceedings before courts

10. As indicated in the reply to the previous question, the Ministry of Labour, Family, Social Affairs and Equal Opportunities, Section for Equal Opportunities, requested courts (higher, county, district, labour and social and administrative) to provide information on court proceedings in which women or men relied on the convention. As with the previous question, the courts answered that such records are not kept. The courts which reviewed the decisions replied that when deciding on matters in the past years the convention was not directly used as the legal basis on which women seeking justice would rely.

National machinery for the advancement of women

Question 3
National mechanism for equality of women and men

11. By the adoption of the Act amending the Act Regulating the internal organisation and systematisation of jobs in the Ministry of Labour, Family, Social Affairs and Equal Opportunities of 4th January 2014, organisational changes of the national mechanism for equality of women and men occurred. The Equal Opportunities and European coordination Service was eliminated and two separate units were established: Sector for Equal Opportunities and Service for European coordination. Thereby, the area of equality of women and men has become an independent area within the ministry and placed directly under the Minister. The number of employees in the Sector for Equal Opportunities has remained the same as before (head of the sector and five persons working in the field of gender equality and an advocate of the principle of equality). Assets available to the Sector for Equal Opportunities for financing activities amounted to 414.732 EUR in 2015;

thereof 16.000 EUR of budgetary resources for co-financing projects of non-governmental organisations in the field of gender equality; 332.552 EUR were gained from participation in the tenders of the Progress Programme of the European Commission and Norwegian financial mechanisms for the implementation which the budget would provide co-financing in the amount of 66.180 EUR. As stated in subsection 1.1, the Expert Council for Gender Equality has been established which is an expert and advisory body of the Minister on matters of equality of women and men and the implementation of the principle of non-discrimination on the grounds of sex. (More in section 1.)

12. According to the Equal Opportunities for Women and Men Act, coordinators for equal opportunities for women and men work in the ministries; all have deputies as well. Their appointment is a legal obligation. In 2015, at the call of the Sector for Equal Opportunities, the ministries reconfirmed or newly appointed coordinators and their deputies in all ministries. At local level, the appointment of coordinators for equal opportunities for women and men is not mandatory. After the elections in 2014, in a similar manner as after the previous local elections, the competent Ministry (the Sector for Equal Opportunities) sent a letter to Mayors in which it prompted them to appoint local coordinators for equal opportunities for women and men. At the moment, 39 of 212 municipalities have a coordinator for equal opportunities for women and men. The tasks assigned to coordinators do not represent a special work post and they carry out these tasks in addition to their regular duties.

National mechanisms to promote equality

13. The highest authority for the protection of human rights and fundamental freedoms in the Republic of Slovenia is the Human Rights Ombuds Person who has its basis in the Constitution of the Republic of Slovenia. The Human Rights Ombuds Person is completely autonomous and independent at his/her work. He/she is responsible for dealing with all human rights violations and discrimination is one of them. He/she performs tasks only in relation to state authorities, local community authorities and holders of public powers and does not intervene in the private sector. The Human Rights Ombuds Person issues a final report on the cases dealt with where he/she states his/her assessment of the facts and circumstances of each case and determines whether a violation of human rights or fundamental freedoms occurred and how they were violated or whether it was some other irregularity. At the same time, he/she suggests the manner in which the violation or irregularity should be remedied. In doing so, he/she may suggest that the body concerned repeats a certain procedure in accordance with the law, proposes indemnification or another way to remedy the harm suffered by the individual or individuals concerned. Thereby, he/she does not interfere with the civil rights of an individual to indemnification. He/she may also propose the initiation of disciplinary proceedings against the officials of the bodies which are responsible for the irregularity found. The bodies are obliged to inform the Ombuds Person about the measures based on his/her proposals, opinions, critiques or recommendations within 30 days. If the body does not submit a report on the consideration of the Ombuds Person's proposals or his/her proposals are only partially considered, the Ombuds Person may inform the immediate superior authority, the responsible ministry, send a special report to the National Assembly or make the matter public.

14. Advocate of the principle of equality is an institute which was established specifically for the purpose of protection against discrimination. It is responsible for dealing with violations of the prohibition of discrimination on grounds of any personal circumstances and in any field. The purpose of treatment of cases as provided by law is mainly detection and warning of the existence of discrimination. For this purpose, he/she provides general information and explanations related to discrimination, in the treatment of the case it warns about the irregularities found and recommends how to eliminate them, in other procedures for the exercise of rights related to the protection against discrimination he/she provides assistance to discriminated persons. The treatment of cases at the advocate is informal and free of charge. It is concluded with a written opinion in which the advocate states his/her findings and assessment of the circumstances of the case in terms of the existence of a violation of the prohibition of discrimination and informs both parties. In the opinion, the advocate can warn about the irregularities found and recommend how they should be eliminated and ask the alleged infringer to notify him/her about their actions in a given period.

15. Raising awareness regarding the authorities and procedures of the advocate of the principle of equality and the Human Rights Ombuds Person occurs primarily through the websites of both institutions and various information materials. Specific measures that would illuminate the function and authorities of the advocate of the principle of equality in comparison with the Human Rights Ombuds Person were not taken.

16. The tasks of the advocate of the principle of equality are carried out by one person. For the operation of the advocate of the principle of equality, there are no specific budget appropriations; all expenses related to its operation are provided for within the budget of the ministry.

17. Review of the initiatives received and treated by the advocate of the principle of equality from 2012 to 2014 showed that in 2012 there were seven initiatives by women due to sex- and gender-based discrimination, one case involving an instance of multiple discrimination (sex and gender and age). The cases were related to the area of employment and labour, access to services and sexism in the media. In 2013, eight cases were related to discrimination against women on the grounds of sex and gender, three cases of which were instances of multiple discrimination and three cases were an intersectional discrimination. Similar to the year before, most cases were related to the field of employment and labour. In 2014, the advocate of the principle of equality received seven initiatives by women alleging sex- and gender-based discrimination. Cases were related to pregnancy and parenthood, sexual harassment, etc.

18. The Human Rights Ombuds Person is an independent budget user; the funding totalling 1,967,000.00 EUR is provided for his/her work in 2015. Thirty-nine persons are employed at his/her office; twenty officials are employed for the treatment and resolution of initiatives in all areas of work and six functionaries for participation in the treatment and resolution of initiatives. One of the Ombuds Person's deputies is responsible for the area of discrimination (which includes national and ethnic minorities, equal opportunities of women and men, equal opportunities regardless of sexual orientation and equal opportunities in terms of physical and mental incapacity (disability) as well as for other areas of constitutional rights, the issue of foreigners and nationalities. Two more experts are

also working in all the aforementioned areas. In recent years, the Human Rights Ombuds Person has not received any initiatives from women who would assert discrimination on grounds of sex and gender. In 2014, four initiatives were submitted in relation to the equal opportunities for women and men; two of them were submitted by men, one was anonymous and one was submitted by a women's umbrella non-governmental organisation, Women's Lobby of Slovenia. The Human Rights Ombuds Person found no violations in any of these initiatives.

Temporary special measures
Question 4

19. Beside the already mentioned special measures in the combined fifth and sixth reports, no further special measures were adopted or are being planned to accelerate the achievement of substantive gender equality in public life, education and employment. Adoption of special measures to increase the proportion of women or balance the representation is planned for the decision-making in the economy and politics. In accordance with the decision of the Commission for Petitions, Human Rights and Equal Opportunities and the Committee for Labour, Family, Social Affairs and Persons with Disabilities of the National Assembly (more on this under section 1), the Ministry of Labour, Family, Social Affairs and Equal Opportunities will prepare a legal basis for the introduction of gender quotas in management and supervisory boards of business companies. The Proposal of amendments and supplements to the Elections to the National Assembly Act which was filed on 30th April 2015 by a group of deputies was considered in the National Assembly; like the proposal referred to in the para. 52 of the combined fifth and sixth reports, it provides for an increase of the representation of each sex on candidate lists from 35 to 40 per cent.

20. The Ministry of Economic Development and Technology through its implementing agency SPIRIT Slovenia (Public Agency of the Republic of Slovenia for the Promotion of Entrepreneurship, Innovation, Development, Investment and Tourism) carries out promotional activities with the aim to encourage and networking of potential and existing women entrepreneurs. Women entrepreneurs can also submit applications for all measures targeted at companies/entrepreneurs (i.e. mentoring programmes, trainings etc.).

Stereotypes and harmful practices
Question 5

21. Activities to promote a more equitable sharing of family responsibilities between women and men, including responsible partnerships and parenthood, have contributed to greater awareness of unequal division of domestic work and care responsibilities between men and women and awareness of rights or possibilities of paternity leave and sharing of parental leave. The media campaign "Daddy, get active!" has contributed to increased public awareness and the promotion of active fatherhood and the elimination of stereotyped social roles of women and men. Using a documentary-educational film that presented the experience of employers and "active fathers" in relation to the reconciliation of work and family life, an important contribution to identifying the benefits of the reconciliation of work and family life has been made both for employees and employers. All these activities were also reflected in the increased number of fathers who took paternity leave and a part of the leave for child care (parental leave). In the period from 2006 to 2014,

the number of fathers who took 15 days of the paternity leave increased from 14,098 to 16,864 and the number of those who took more than 15 days of the paternity leave from 1,441 to 2,885. In 2006, 921 fathers took a part of the leave for child care while in 2013 this number increased to 1,496.

22. To raise the awareness of parents about the possibilities of sharing the parental leave and to promote active participation of fathers in the lives of their children, the Ministry of Labour, Family, Social Affairs and Equal Opportunities will prepare a special campaign that will encourage parents to an increased sharing of the parental leave. Within the campaign, an informational brochure on the rights related to the sharing of the parental leave between both parents and other promotional materials to promote active fatherhood will be prepared.

Violence against women
Question 6

23. The impact assessment or evaluation of the National Programme on Prevention of Domestic Violence 2009-2014 is not yet complete therefore we cannot provide the information about its assessment. A new national programme that will include prevention of the domestic violence and violence against women is not yet prepared. The legal basis for preparation of the national programme is Article 11 of the Prevention of Domestic Violence Act (Official Gazette of the Republic of Slovenia, no. 16/08) which also stipulates that the Ministry of Labour, Family, Social Affairs and Equal Opportunities is the coordinator of such preparations in collaboration with other ministries. The national programme is implemented through biennial action plans; the individual ministries that are responsible for the measures are obliged to ensure funds for their implementation.

24. Data on persons victims of criminal offences in question for 2013 and 2014 show that 39 women were victims of human trafficking, 88 women were raped, 84 women were victims of sexual violence and 23 women were victims of the criminal offence of exploitation through prostitution. In 2013, there were 1,592 cases of the criminal offence of domestic violence and 1,601 cases in 2014. In 2013, 430 persons (420 men and 10 women) were sentenced for the criminal offence of domestic violence (Article 191 of the Criminal Code). 409 men and 10 women were sentenced to the imprisonment. Two men were sentenced to the imprisonment from 5 to 10 years which was the highest penalty levied. Most persons were sentenced to imprisonment from 6 months to 1 year (177 men and 5 women).

Question 7

25. Within the network of social protection programmes, the current network with its facilities covers the needs in Slovenia. Within the network of various programmes of assistance to victims of violence, there are 430 places available in various locations in Slovenia. The network is spread throughout Slovenia with the exception of the maternity home that we plan in the north-eastern region of Slovenia in the next two years. Experts work in the programmes in all locations and they are assisted by trained volunteers. In 2014, 2,056,528 EUR were allocated to the programmes for preventing violence; in 2015 this amount equates to 2,450,000 EUR.

Question 8
Training sessions

26. Various forms of training are being carried out in the field of prevention of violence against women and domestic violence. These contribute to raising awareness and competences of professionals who are dealing with victims and/or perpetrators of violence at their everyday work place. The police in particular give a great emphasis to raising awareness of both victims and expert and general public, education and training of police officers and measures and activities to prevent domestic violence and violence against women. The Centre for judicial training has an important role in education and training. The police in cooperation with the Association of Prosecutors of Slovenia and the Centre for Judicial Training has for many years organised a two-day expert consultations involving investigators, prosecutors and judges — specialists who are directly involved in dealing with children and youth and other family members at their work. In 2015, the expert consultation titled "Child and the traps of modern times" was organised. In addition to the trainings, various informational materials were prepared and expert articles on violence published.

27. Since 2011, the police have carried out permanent training sessions and education for police officers according to the principle of multipliers in the field of domestic violence and violence against children. In 2013, this method of work was presented at the EUCPN in Lithuania as an example of good practice and has competed for the ECPA prize (link: http://eucpn.org/document/train-trainers). The programme has been upgraded with the creation of the EIDA electronic classroom to deal with domestic violence. 3,700 police officers successfully completed the programme.

28. The police together with the Association of Social Work Centres organises working consultations. In May 2015, the ninth working consultation was organised and the representatives of the prosecutor's office and the court were also invited. At this consultation which was attended by over 70 people, the issues of the current concerns related to dealing with violence against women and child abuse were addressed.

29. Based on the contract between the Ministry of Labour, Family, Social Affairs and Equal Opportunities and the Social Chamber of Slovenia, specific trainings in the field of prevention of and dealing with violence (according to the needs on the ground) are carried out every year for professionals of the social work centres.

Awareness raising campaigns

30. In 2014 and 2015, the Ministry of Labour, Family, Social Affairs and Equal Opportunities together with the police and in cooperation with the Ministry of Justice, Ministry of Health and the Supreme State Prosecutor's Office implements the project "VESNA — to live a violence free life" which is co-financed by the European Commission Progress programme. It is a two-year national campaign which highlights the problem of violence against women and aims to:

- systematically raise awareness of women of all ages (girls, adult women, elderly women) who belong to the risk group of potential victims and inform them about various forms of assistance and access to them;

- raise awareness of the general public about the issue of domestic violence and violence against women; and
- deepen the knowledge of professionals dealing with actual and potential victims of violence.

31. Within the project, the following activities are being carried out:

- a media campaign and a short TV production on violence against women as a wider social problem; photographic exhibition "Violence on her skin" which is exhibited in all major Slovenian cities and which will be hosted in Geneva at the United Nations Palace in June 2015 and in Strasbourg at the Council of Europe in October-November 2015;
- training for police officers and criminal investigators, social workers, prosecutors, judges and advocates and health care personnel; the representatives of non-governmental organisations that carry out programs to raise awareness and help victims of violence and support families in specific life situations are also included;
- preparation of various preventive and informative materials (brochures, leaflets, posters) with useful information for specific target groups of users as well as for wider professional and general public.

32. On their website, the police published systematic explanations concerning the conduct of the police investigation of domestic violence and violence against children; currently these explanations are in the stage of translation into foreign languages. At the invitation of the police, various non-governmental organisations and state institutions have published links to these explanations; the content itself was commended by the Human Rights Ombuds Person. (Link to the publication on the website of the police: http://www.policija.si/index.php/preventiva-/preventiva/67685-nasilje-v-druini-informacije-o-postopku-na-policiji and on the website of the Human Rights Ombuds Person: http://www.varuh-rs.si/iscete-pomoc/koristni-naslovi/nasilje-v-druzini/).

33. The police renewed the content of the brochure *Sexual violence* (publication on the website of the police: http://www.policija.si/index.php/preventiva-/preventiva/5790-spolno-nasilje) and prepared the brochure *When I become a victim of a criminal offence* (publication on the website of the police: http://www.policija.si/index.php/preventiva-/preventiva/418-projekt-policije-za-rtve-kaznivih-dejanj?lang).

34. In 2015, the Ministry of Labour, Family, Social Affairs and Equal Opportunities signed an agreement with the Council of Europe on the Council of Europe campaign to prevent sexual abuse of children "Kiko and the hand." Within the campaign, the ministry will prepare a picture book for children aged 3 to 9 years and distribute it to parents of the mentioned target group of children in cooperation with the Ministry of Education, Science and Sports and the Ministry of Health. A cartoon with the same title will also be published on the website of the Ministry of Labour, Family, Social Affairs and Equal Opportunities.

Trafficking and exploitation of prostitution
Question 9

35. In the period from 2013 to 2014, the police dealt with 39 women victims of the criminal offence of trafficking in human beings (Article 113 of the Criminal Code of

the Republic of Slovenia), 23 women as victims of the criminal offence of the exploitation through prostitution (Article 175 of the Criminal Code of the Republic of Slovenia) and no case of the criminal offence of establishing slavery relations (Article 112 of the Criminal Code of the Republic of Slovenia). The perpetrators of these criminal offences were in 39 cases men and in 10 cases women.

36. In the period from 2010 to 2014, 7 temporary residence permits were issued to women victims of trafficking in human beings. The non-governmental and humanitarian organisations Ključ and Slovenian Caritas provide support, assistance and protection to victims of trafficking in human beings (including women who want to quit prostitution) with the financial support (programmes) of the competent ministries. Slovenian Caritas provides the programme "emergency accommodation" and the Ključ society the programme "safe accommodation" in the period 2012-2015.

37. Prostitution is decriminalised in Slovenia. The Protection of Public Order and Peace Act (Official Gazette of the Republic of Slovenia, no. 70/2006) in Article 7 defines intrusive offering of sexual services in a public place that bothers somebody, causes distress or outrage of people as a misdemeanour. The Criminal Code (Official Gazette of the Republic of Slovenia, no. 50/2012) defines the exploitation of prostitution (Article 175 and 113) as a criminal offence.

Question 10
Measures to improve the identification of victims of trafficking

38. For a number of years the PATS project has been carried out in the asylum home with the aim of informing the seekers of international protection as potential victims of trafficking in human beings about the dangers of trafficking in persons and the forms of protection. With the information obtained, the potential victims of trafficking are able to identify themselves as victims or are identified as such by the operators of the project. They are provided with all necessary information about the protection available in the Republic of Slovenia. In case of suspicion that a person is a victim of the said phenomenon, he/she is further treated in the framework of an expert group (appointed within the programme Standard operating procedures to prevent and react in cases of sexual violence and violence according to sex — SOPS SNNS). The treatment includes a concrete plan of assistance to such a person.

39. With the aim of improving the identification of victims of trafficking, the police implement the education of different target groups. Thus, for example, the trainings of border police officers at border crossings are carried out in cooperation with FRONTEX, trainings of police officers at police stations for compensatory measures, trainings of criminal police officers who are responsible for investigating such criminal offences, training of administrative workers etc. Police also participate in the trainings of other organs (e.g. the judiciary — judges and prosecutors). Currently, a manual on the identification of victims of trafficking in human beings is being prepared; all competent authorities of the Government as well as non-governmental and humanitarian organisations participate in the preparation.

Roma children

40. With the aim to improve cooperation with the Roma community (in terms of better identification of potential victims of trafficking in Roma children), the police

carries out a project titled "Raising the awareness of public officials, the Roma and the general public in order to overcome barriers and improve the quality of coexistence — SKUPA-J" co-funded by the European Commission from the Progress programme. Within the framework of the project, workshops are carried out for public officials in the areas of residence of the Roma ethnic communities to identify and prevent intolerance with special emphasis on acquisition of social skills and recognition of concepts such as prejudices, stereotypes, xenophobia, etc. Since it is extremely useful for the public officials who work with members of the Roma community to understand the basics of Roma language as this may overcome many communication as well as social obstacles, courses on the basics of the Roma language are carried out for Social Work Centres employees and police officers from areas where Roma live.

41. Within the project, an appropriately equipped mobile classroom was set up in one of the Roma settlements in Dolenjska where two educators (employees of the police) teach Roma children Slovenian language through playing. Detailed information and activities within the SKUPA-J project are published on the website: http://www.policija.si/index.php/component/content/article/216-projekti/71995-projekt-skupaj-za-krepit ev-integracije-romskih-skupnosti.

42. Being aware of the problem of Roma children and their specific perilous position, the Ministry of Labour, Family, Social Affairs and Equal Opportunities has funded the research "Forced marriages of Roma girls" (2015) to obtain an analysis of the situation on the ground. Due to the specific situation of forced marriages of Roma girls, as well as boys, the ministry will enhance preventive activities for the Roma population within the framework of co-financing the programmes of non-governmental organisations on the basis of public tenders.

Question 11

43. Inter-ministerial Working Group for Combating Trafficking in Human Beings publishes its planned activities and the realisation of these in the form of annual reports on the website which allows the public to review the operation and realisation of the activities. The interministerial working group informs the Government of the Republic of Slovenia about its work and reports to the National Assembly or its Commission for Petitions, Human Rights and Equal Opportunities. The interministerial working group is managed by the national coordinator for combating trafficking in human beings; it is composed of nine representatives of the relevant ministries, six external members and one expert colleague.

44. In 2014/15, the Faculty of Security Studies conducted a survey into the forms of trafficking in human beings in Slovenia. The survey results and recommendations were presented to the public on 29th January 2015 and will form the basis for further action and planning of preventive activities.

Participation in political and public life
Question 12

45. Proposal for amendments to the Elections to the National Assembly Act proposed by a group of deputies was not adopted. The consideration of the draft law did not occur because early parliamentary elections took place in July 2014 and all legislative procedures were ended by the termination of the mandate period of the National Assembly. In the new composition of the National Assembly, the initiative

to amend the Elections to the National Assembly Act has been put forward again. On 30th April 2015, a group of deputies of the new composition of the National Assembly filed the Proposal of amendments and supplements to the Elections to the National Assembly Act which instead of 35 per cent representation of each sex on candidate lists stipulates at least 40 per cent representation of each sex.

46. Currently, the Government of the Republic of Slovenia does not plan any specific measures to increase the low proportion of women in the National Council and mayoral positions. The legal basis for the introduction of special measures or gender quotas to increase the representation of women in management and supervisory boards of business companies is being prepared. (See also section 4.)

Education
Question 13

47. The Republic of Slovenia will continue to strive to overcome traditional stereotypes and structural barriers which might discourage girls from entering into traditionally male fields of study and to strengthen the efforts to provide career counselling about non-traditional career paths to girls.

Employment

Question 14
Sexual harassment

48. As stated in the combined fifth and sixth reports (para. 39), the Labour Relations Act (Official Gazette of the Republic of Slovenia, no. 21/13) in Article 7 prohibits sexual and other harassment and mobbing at work; in Article 47, it obliges employers to create a working environment free from sexual and other harassment and mobbing. In 2014, the work inspectors did not identify any violations of sexual and other harassment and mobbing at the workplace. Their role was mainly preventive. They found 195 violations when the employer had failed to take adequate measures to protect workers from sexual and other harassment or from mobbing at the workplace, and 157 violations when the employer did not inform the workers of the measures taken to protect workers against sexual and other harassment or from mobbing at the workplace, in accordance with Article 47 of the Labour Relations Act.

Implementation of the Decree on measures to protect the dignity of employees in state administration bodies

49. In accordance with the Decree on measures to protect the dignity of employees in state administration bodies (Official Gazette of the Republic of Slovenia, no. 36/09 and 21/13-ZDR-1), all state administration bodies have a counsellor for assistance and information on the available measures related to the protection against sexual and other harassment or mobbing. Training is organised every year for new counsellors.

Participation of trade unions and women's associations in the appeal proceedings

50. The Labour Relations Act in Article 8 provides that in the event of violation of the prohibition of discrimination or mobbing at workplace the employer is liable for any damage to candidate or worker according to the general rules of civil law.

According to Article 200 of the Labour Relations Act, the worker may request judicial protection at the competent labour and social court. In civil proceedings where, for example, a victim of discrimination brings an action for remedies due to discrimination, non-governmental and other organisations (e.g. trade unions, women's associations) may participate either on behalf of the victim — as her/his representative either in support of the victim — as a side intervener. Both types of cooperation are determined by the provisions of the Civil Procedure Act (Official Gazette of the Republic of Slovenia no. 36/2004, 52/2007). Therefore, non-governmental and other organisations may indirectly participate in the lawsuit on behalf of the victim. According to Paragraph 1 of Article 87 of the Civil Procedure Act, at the Local Court whoever has fully operational capacity may be a representative. While at the District, Higher and Supreme Court only a lawyer or other person who has passed the state law examination can be a representative (Article 87 of the Civil Procedure Act). If a non-governmental organisation has such a person employed or engaged, the latter can participate in the proceedings for violation of the prohibition of discrimination on the basis of authorisation.

51. Anyone, including trade unions and women's associations, can report a violation of labour legislation to the Labour Inspectorate of the Republic of Slovenia. According to Paragraph 2 of Article 24 of the Inspection Supervision Act (Official Gazette of the Republic of Slovenia, no. 43/07, 40/14), the inspector must also consider anonymous applications.

52. A special procedure regarding discrimination is an informal procedure before the Advocate of the principle of equality. Here, it is necessary to mention Article 12 of the Implementation of the Principle of Equal Treatment Act (Official Gazette of the Republic of Slovenia, no. 93/07) which stipulates that a treatment of the alleged violation of the prohibition of discrimination begins with a written or orally to the minutes given initiative which may also be anonymous but in any case it must contain enough information to deal with the case. Given this, anyone can start the process before the Advocate of the principle of equality and not only the direct victim of discrimination. This means that a written initiative to deal with the proceedings can be filed by a governmental or other organisation that helps victims of the alleged discrimination on behalf of the victim (of course with her/his consent). In this case, such organisation fully participates as a party in the proceedings. Because it is a process of informal nature, such organisation may join the party in the proceedings — a victim of discrimination — later during the proceedings. In such situation, the organisation in the following acts either in place of the victim — on her/his behalf either only in her/his support — advising the client filing additional evidence that speaks in favour of the party and so on.

Question 15
Fixed-term employment

53. Fixed-term employment may be concluded only exceptionally in the cases specified in Article 54 of the Labour Relations Act. Conclusion of fixed-term employment for the same work is limited to a maximum of two years, except in certain cases specified by the law or branch-level collective agreement. The rule is that employment contracts should be concluded for an indefinite period.

54. According to the Parental Protection and Family Benefits Act (Official Gazette of the Republic of Slovenia, no. 26/2014), female workers or parents who are

employed for an indefinite period have the right to parental leave and the right to parental benefits if they were insured for parental protection on the day before the onset of each type of leave. Female workers or parents who are not entitled to the leave shall also have the right to parental benefits if they were insured according to this Act for at least twelve months during the previous three years prior to exercising the right to parental benefits (Article 41). This means that even female workers or parents who are not employed for an indefinite period but have during the last three years been employed and thus insured for parental protection for at least 12 months are entitled to parental benefits for the same duration as the parents who are employed for an indefinite period.

Return to work

55. Female workers on maternity leave and parents on parental leave are subject to specific legal protection. Article 115 of the Labour Relations Act stipulates that an employer may not terminate the employment contract of a female worker during the period of pregnancy and throughout the period that she is breastfeeding the child, nor may an employer terminate the employment contract of parents in the period when they are on parental leave in the form of full absence from work and one month after the use of parental leave. This guarantees both, male and female workers their return to work after parental leave.

56. In addition to special legal protection, the Labour Relations Act in Article 6 defines the general prohibition of discrimination on grounds of sex, motherhood or parenthood. In Article 1 it stipulates that employers must ensure equal treatment for job seekers in gaining employment or workers during their employment relationship and in connection with the termination of employment contracts irrespective of ethnicity, race or ethnic origin, national or social background, sex and gender, skin colour, state of health, disability, faith or conviction, age, sexual orientation, family status, membership of unions, financial standing or other personal characteristics in accordance with this Act, the regulations governing the fulfilment of the principle of equal treatment, and the regulations governing equal opportunities for women and men. Paragraph 2 of the same Article specifically highlights the duty of the employer to ensure equal treatment with regard to the personal circumstances and/or characteristics of the preceding paragraph for the candidate gaining the employment and for a worker in connection with promotion, training, education, retraining, salary and other employment benefits, absences from work, working conditions and termination of the employment contract. Paragraph 4 of Article 6 expressly stipulates that less favourable treatment of workers related to pregnancy or parental leave is considered as discrimination. It follows from the foregoing that the Labour Relations Act provides protection for women against any less favourable treatment on grounds of pregnancy, maternity, and the use of maternity and parental leave.

57. To encourage employers to employ mothers of small children the Pension and Disability Insurance Act (Official Gazette of the Republic of Slovenia, no. 96/2012) in Article 157 stipulates that an employer has the right to obtain a refund of employer contributions for mothers caring for a child of up to three years of age when she is first employed for an indefinite period and shall remain with the same employer in continuous employment for at least two years. This is a special measure which aims to ensure the substantive equality of women — mothers in the labour market or in employment as they are often in a less favourable position compared to men — fathers.

The effects of pension reform on women

58. In 2014, an analysis of pension reform impacts was made and it also included a gender perspective. The review of the age of female pensioners who exercised a pension for the first time (only age female pensioners who receive the full pension from the Slovenian pension system are taken into account) shows that the average retirement age of women who have retired under the new Pension and Disability Insurance Act remained at approximately the same level as in women who retired under the provisions of the previous Act (protection of expected benefits), i.e. 58 years and 1 month, while the pension qualifying period of female pensioners was under the new Pension and Disability Insurance Act a year and a half higher than in the pension qualifying female pensioners who retired in 2013 under the provisions of the previous Act. More specifically — the pension qualifying period of female pensioners who retired under the new Pension and Disability Insurance Act was 37 years and 9 months while the pension qualifying period of female pensioners retired under the previous Act was 36 years and 2 months. The average net pension of women who were age retired under the new Pension and Disability Insurance Act amounted to 666.63 EUR while the average net pension of women who were age retired under the previous Act amounted to 16 EUR less, i.e. 650.42 EUR.

Health
Question 16

59. Change or reduction of the share covered by the compulsory insurance from at least 85 per cent to at least 80 per cent applies only to services related to the identification of impaired fertility and artificial insemination, sterilisation and artificial termination of pregnancy. The services related to health care of women in connection with counselling on family planning, contraception, pregnancy and childbirth are still fully (100 per cent) covered by the compulsory health insurance. In the Republic of Slovenia, the health insurance system consists of compulsory and voluntary health insurance. All citizens and, under certain conditions, also non-citizens have compulsory insurance. Approximately 95 per cent of citizens also have complementary voluntary health insurance. In practice, this means that those insured persons who have in addition to the basic concluded also the supplementary health insurance do not have to pay the 20 per cent difference for treatment related to impaired fertility and artificial insemination, sterilisation and artificial termination of pregnancy, as the difference is paid by the insurance company with which they have concluded supplementary health insurance.

60. Socially disadvantaged persons are exempt from payment of complementary health insurance. Since 1st January 2009 all the cash social assistance recipients may lodge a request for suspension of complementary health insurance and thus be exempted from the payment of the premium for the period of a validity of the decision on cash social assistance. The difference to full price of the health care service is covered by the state budget.

61. Within the framework of the Norwegian Financial Mechanism numerous programmes aimed at risk groups of users of health-care services are carried out, for example: cooperation for health of Roma men and women which responds to the challenges in the field of social inclusion of the Roma population, especially Roma women, as well as raising awareness of health and increase of health services for female Roma users and their families, psychotherapeutic assistance to women and

families after the experience of violence and other traumatic events and assistance to the families in the community to reduce social exclusion. The aim of these programmes is to reduce the differences in health between different groups of users, especially women, taking into account the key social and sociocultural determinants of health.

Roma women and girls

Question 17
Realisation of the National Programme of Measures for Roma of the Government of the Republic of Slovenia for the period 2010–2015

62. The National Programme of Measures for Roma for 2010-2015 identifies 6 strategic objectives, namely: (1) improve the living conditions, (2) improve the educational structure, (3) increase employment and (4) improve the health care of the Roma community members, (5) maintain and develop cultural, information and publishing activities of the Roma community and strive to preserve and develop various forms of Romany language, and (6) increase awareness of the majority population and the Roma community members. The objectives shall be pursued on the basis of the identified measures which are implemented by the competent ministries and government agencies as well as the organisations of the Roma community and municipalities. The Commission of the Government of the Republic of Slovenia for the Protection of the Roma Community is responsible for monitoring its implementation. The Government of the Republic of Slovenia regularly reports to the National Assembly on the situation of the Roma community.

63. In the field of regulation of housing conditions, the main objective, considering the characteristics of the Roma settlements, is comprehensive integration of Roma men and women in Slovenian society. Measures relate to the preparation of strategic frameworks and legal basis particularly in terms of placement of Roma settlements in municipal spatial plans which is a precondition for their legalisation as well as the implementation of necessary financial measures. With financial incentives within the framework of public tenders, the state provides the regulation of basic public infrastructure in Roma settlements which includes construction, rehabilitation or modernisation of water supply systems and sewerage network, electrification, regulation of local roads and paths, and the purchase of land for the regulation or rounding up Roma settlements. From 2008 to 2013, approximately 8,891,000.00 EUR of grants were allocated to municipalities where Roma live for these purposes through tenders.

64. The Strategy for Education of Roma in the Republic of Slovenia (adopted in 2004 and amended in 2011) provides several measures to improve the learning outcomes of Roma children and measures to reduce their early drop-out. Such measures are also included in the national programme and shall be implemented through various projects funded by the European Social Fund and national funds. These are primarily the measures to promote early integration of Roma children, both girls and boys, in pre-school education, the introduction of Roma assistants in the educational process, introduction of social incubators which can be defined as a comprehensive programme with various forms of work with Roma children, youth and their parents in Roma settlements, development of language skills (Romany and Slovenian language) and socialisation within educational institutions and improvement of education quality for Roma children.

65. In the field of employment, the positive effect of employment programmes that are specifically designed for disadvantaged groups, among them Roma women as one of the key groups, is visible. The programmes aim primarily at the reduction of unemployment of members of the Roma community and the increase of their social integration and access to the labour market.

66. The Ministry of Health in cooperation with the competent departments and representatives of Roma men and women carries out activities to improve health and healthcare for the Roma. For this purpose, four thematic national conferences on health of Roma men and women were organised in the years 2008-2014 on the theme of reducing the health inequalities between Roma men and women, the health of Roma women, the health of Roma children and a healthy lifestyle. Thematic workshops on the ground were also organised in one of the Roma settlements. Additionally, in 2013, the Ministry of Health published a public tender to co-finance health protection and improvement programmes for 2013 and 2014, and a public tender to co-finance programmes of assistance, counselling and care for persons without compulsory health insurance for 2013 and 2014. A Roma association was successful at the tenders, and it independently carries out some activities to protect and improve health within Roma communities.

67. The Ministry of Culture has been for many years creating conditions for cultural activities of the Roma community and thus contributing to creating the conditions for preservation and development of cultural, informative and publishing activities of the Roma community which are also included in the national programme. The number of activities, the number of applicants of the projects, and the number of creators of the Roma culture is increasing, as well as their quality.

68. Within the framework of the national programme, the measures to combat discrimination and prejudice against Roma men and women are provided. In 2013, the police started a project "SKUPA-J" which is financed from EU funds; its main objective is to raise awareness of public officials, the Roma and the general public in order to overcome barriers and improve the quality of coexistence. The project includes three key components: (1) to upgrade and further develop existing policies to eliminate discrimination against Roma and promote their equality and improve their situation; (2) to promote the dissemination of information on European and national policy and legislation in the field of non-discrimination of Roma and getting closer to Roma by overcoming stereotypes and prejudices of public officials and the general public; (3) to merge several identified good practices in the field of integration of Roma children in schools, awareness-raising and empowerment of Roma women and improvement of the quality of life of the Roma (emphasis on women, the elderly and persons with disabilities).

Data collection

69. Slovenian legislation does not allow data collection on the basis of ethnicity. Therefore, data can only be collected on the basis of researches. To ensure a review of situation in the field of social inclusion of Roma a research of the review of the situation in the areas relevant to the successful integration of Roma in society is being carried out: education, employment, health, living conditions, discrimination and the situation of women and girls which will be the basis for further regulation of these areas and development of appropriate measures.

Child and/or forced marriages

70. In 2014, the Ministry of Labour, Family, Social Affairs and Equal Opportunities ordered a research on forced marriages of Roma girls which was carried out by the Social Protection Institute of the Republic of Slovenia. The purpose of the study was to determine the extent of child and/or forced marriages of Roma girls (and also boys), to identify the root causes of this harmful practice and the consequences of this wedding practice faced by children who are victims of child and/or forced marriages with the aim to prepare proposals and recommendations to the state for systemic solutions that would help to eliminate child and/or forced marriages. The extent of child and/or forced marriage was measured on the basis of data obtained from questionnaires. According to the data of social work centres, in 2013, there are thought to be eight cases of forced marriages of Roma children living in Slovenia and three cases of Roma children who have moved to Slovenia. According to the other organisations, there are thought to be more marriages, namely twelve cases of Roma children living in Slovenia and nine cases of Roma children who have moved to Slovenia. The study also lists proposals for solutions that would contribute to the elimination of child and/or forced marriages. One of the proposals, namely to classify forced marriages as a criminal offence, is already in the implementation phase. The proposal of the Law Amending the Criminal Code (KZ-1C) was amended at the stage of technical and interministerial coordination, namely Article 113 (trafficking in persons) contains the amendment that expressly designates forced marriage as a qualified form of forcing in the context of trafficking in human beings. It also stipulates that forcing in other forms of leaving community which are by law equated with marriage shall be punished. The Government of the Republic of Slovenia has already sent the aforementioned draft law to the National Assembly for consideration and adoption.

71. The People's University of Kočevje together with partners from Slovenia, Bulgaria and Italy has successfully submitted a project titled "Early marriages — culture or abuse?" to the tender of the European Commission within the framework of DAPHNE III programme. The main objectives of the project are to explore the sociological perspective of the Roma community view on child and/or forced marriage, early detection of problems in the Roma community and the education of teachers, Roma representatives, experts in the field of social work, counselling and health care, non-governmental organisations and the police about how to act as a mediator at the onset of child and/or forced marriage. To achieve these objectives, the project provides the following activities: sociological survey "Early marriage — culture or misuse?", mediation training and visits "door to door", designing preventive programmes for primary school children and information and promotion of the project.

Marriage and Family Relations

Question 18

72. The Marriage and Family Relations Act (Official Gazette of the Republic of Slovenia, no. 69/2004) provides that in the case of divorce the spouse who has no means of living and is not employed without fault of her/his own has the right to require maintenance from the other spouse. The law also stipulates that parents who do not live or will no longer live together must agree on the maintenance of

children. If they do not make an agreement by themselves, the Social Work Centre assists them in reaching the agreement, or if the parents, even with the assistance of the Social Work Centre do not agree on the maintenance of children, the court decides about this matter at the request of one or both parents. The level of maintenance is determined by the needs of the beneficiary and the resources of the debtor. In the assessment of child maintenance, the court must consider the interests of the child so that the maintenance is adequate to ensure the successful physical and mental development of the child. The maintenance must cover the cost of living needs of the child, in particular the costs of accommodation, food, clothing, footwear, care, education, recreation, entertainment and other special needs of the child.

73. According to the Ministry of Labour, Family, Social Affairs and Equal Opportunities 63,091 children receive maintenance (as of 15th January 2015). In most cases (90.1%), the father is liable for the payment. 851 persons pay maintenance to their former spouse or co-habiting partner, of which 117 are women. The amount of maintenance is on average 131.79 EUR.

74. If the maintenance debtor does not pay the maintenance determined by a final judgement, a temporary injunction or an agreement with the Social Work Centre, the child can obtain the compensation of the maintenance from the Maintenance Fund of the Republic of Slovenia. On average a little less than 4,000 compensation claims are paid per month, their average amount is around 84 EUR.

75. No specific study or analysis of the impact of gender in relation to the economic and financial crisis concerning the payment of maintenance to a child and to ex-wife or husband or unmarried partner in the previous period has been carried out. Neither was carried out any survey regarding mutual family assistance, in particular the use of old-age pensions to help younger generations.